

REMARKS

The claims are claims 12 to 21, 31, 38, 39 and 54.

This response newly cancels claims 1, 2, 8 to 10, 32, 33, 43 and 51 to 53 not previously canceled.

Claims 31, 38, 39 and 54 were rejected under 35 U.S.C. 103(a) as made obvious by the combination of Ma et al U.S. Patent No. 6,563,805 and Kleiman U.S. Patent No. 5,959,945.

Claim 31 recites subject matter not made obvious by the combination of Ma et al and Kleiman. Claim 31 recites "the content requested not included in the digital radio transmission but associated with the content which is transmitted in the digital radio transmission." The Applicant submits that Ma et al fails to disclose any such associated content but is limited to downloading the broadcast digital audio signal. This limitation was noted at the first full paragraph of page 13 in the previous response filed February 6, 2004. The FINAL REJECTION fails to mention this limitation and includes no indication of any portion of Ma et al or Kleiman that makes obvious this subject matter. Accordingly, claim 31 is unobvious over the combination of Ma et al and Kleiman.

Claim 38 recites subject matter not made obvious by the combination of Ma et al and Kleiman. Claim 38 recites "the download request transmission is a wireless transmission." The FINAL REJECTION cites Figure 1 of Ma et al as anticipating this subject matter. The Applicant submits that Figure 1 of Ma et al illustrates only one transmission, FM modulator 14. Ma et al states at column 3, lines 56 to 67:

"Rather than incorporate a separate audio amplifier and loudspeakers within the satellite digital audio service receiver 4, the FM radio and speaker system typically present in most automobiles, is used to advantage. The output of analog audio signals from playback circuit 12 are fed into an FM modulator 14 and thereafter broadcast at low power via

antenna 15, in accordance with FCC Rules Part 15 et seq., within the commercial FM broadcast band. In this way, the FM radio system present in the automobile (not shown) can tune to the frequency of broadcast, receive, and play the audio signals through the existing loudspeakers within the automobile."

This portion of Ma et al clearly indicates that FM modulator 14 is to output the digital broadcast to "play the audio signals through the existing loudspeakers within the automobile." The Applicant respectfully submits that such a transmission cannot be the download request as recited in claim 38. Accordingly, claim 38 is not made obvious by the combination of Ma et al and Kleiman.

Claim 39 recites subject matter not made obvious by the combination of Ma et al and Kleiman. Claim 39 recites "the wireless transmission is over cellular telephone lines." The FINAL REJECTION cites Figure 1 of Ma et al as anticipating this subject matter. The Applicant submits that Ma et al fails to disclose any aspect of a cellular telephone. Thus the combination of Ma et al and Kleiman cannot make obvious claim 39.

Claims 54 recites subject matter not made obvious by the combination of Ma et al and Kleiman. Claim 54 recites "downloading ... a decoder used to convert the downloaded content to an analog signal to the storage device; and playing the downloaded content at the receiver using the downloaded decoder." Neither Ma et al nor Kleiman teach downloading a decoder used to decode the content. This limitation was noted at page 14 in the previous response filed February 6, 2004. The FINAL REJECTION fails to mention this limitation and includes no indication of any portion of Ma et al or Kleiman that makes obvious this subject matter. Accordingly, claim 54 is not made obvious by the combination of Ma et al and Kleiman.

Claims 12 to 21 are allowed.

The Applicant respectfully requests entry and consideration of this amendment. Entry of this amendment is proper at this time

because the amendment only cancels claims. Thus no new search or reconsideration is required.

The Applicants respectfully submit that all the present claims are allowable for the reasons set forth above. Therefore early entry of this amendment, reconsideration and advance to issue are respectfully requested.

If the Examiner has any questions or other correspondence regarding this application, Applicants request that the Examiner contact Applicants' attorney at the below listed telephone number and address to facilitate prosecution.

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Respectfully submitted,



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